

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO, LTD;
SAMSUNG ELECTRONICS AMERICA,
INC.; SAMSUNG SEMICONDUCTOR INC.,

Defendants.

Civil Action No. 2:22-cv-00293-JRG
(LEAD CASE)

JURY TRIAL DEMANDED

NETLIST, INC.,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., MICRON
SEMICONDUCTOR PRODUCTS, INC., AND
MICRON TECHNOLOGY TEXAS LLC,

Defendants.

Civil Action No. 2:22-cv-00294-JRG

JURY TRIAL DEMANDED

**DECLARATION OF MICHAEL R. RUECKHEIM IN SUPPORT OF MICRON'S SUR-
REPLY TO NETLIST'S DAUBERT MOTION AND MOTION TO STRIKE EXPERT
TESTIMONY OF DR. MATTHEW LYNDE**

I, Michael R. Rueckheim, declare as follows:

1. I am an attorney at the law firm of Winston & Strawn, LLP, counsel of record for Defendants' Micron Technology, Inc., Micron Semiconductor Products, Inc. and Micron Technology Texas LLC (Collectively "Micron") in the above-captioned action. I am a member in good standing of the State Bar of Texas. I provide this declaration in support of Micron's Sur-Reply to Netlist's Daubert Motion and Motion to Strike Expert Testimony of Dr. Matthew Lynde. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as Exhibit 1 is a true and accurate copy of what was served for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), Rebuttal Expert Report of Dr. Matthew Lynde dated December 21, 2023

3. Attached as Exhibit 2 is a true and accurate copy of what was served for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), Expert Report of Mr. David Kennedy dated November 20, 2023.

4. Attached as Exhibit 3 is a true and correct excerpted copy of the *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-203-JRG (E.D. Tex.) Memorandum Order on Netlist's Motion to Strike Opinions of Dr. Matthew Lynde dated January 27, 2024.

5. Attached as Exhibit 4 is a true and correct excerpted copy of deposition transcript for the case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-203-JRG (E.D. Tex.), Tobin Hobbs dated September 13, 2023.

6. Attached as Exhibit 5 is a true and accurate excerpted copy of what was produced for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), SK hynix and Netlist License Agreement dated April 5, 2021.

7. Attached as Exhibit 6 is a true and accurate copy of what was produced for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.),

[REDACTED] dated April 1, 2022.

8. Attached as Exhibit 7 is a true and accurate excerpted copy of what was served for the case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-203-JRG (E.D. Tex.), Expert Report of Matthew R. Lynde dated October 30, 2023.

I declare under penalty of perjury under laws of the United States of America that the foregoing is true and correct.

Executed on February 15, 2024.

/s/Michael R. Rueckheim

Michael R. Rueckheim